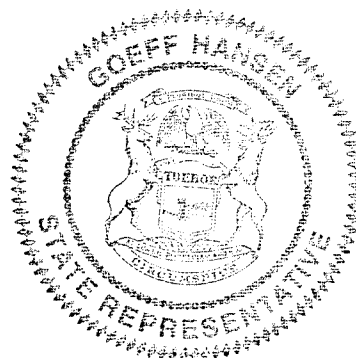


Lake County Sheriff's Office

1153 Michigan Ave., P.O. Box 340, Baldwin, Michigan 49304 (231) 745-2712

November 01, 2002

Michigan Department of Natural Resources
Marine Safety Section – Law Enforcement Division
Thomas Laird – Marine Safety Specialist
Stevens T. Mason building
P.O. Box 30028
Lansing, Michigan 48909-7528



Dear Sir:

I have recently been notified by the Cool Lake Property Owners Association, that their request for a Special Watercraft Restriction on Cool Lake, located in the northwestern part of Lake County, has been rejected by the DNR. Among reasons stated for the rejection was the lack of history documenting any boating accidents or injuries on Cool Lake. It is my belief that these citizens are requesting the Special Slow – no wake Watercraft Restriction as a preventative measure for the purpose of avoiding the likelihood of compiling any such history, now and in the future, as the lake becomes more populated with new residences.

A review of existing Special Local Watercraft Controls throughout lake County indicate that similar Watercraft Restrictions have been granted without being predicated by accidents or injuries on the waters of North Lake (WC-43-94-001); Orchard Lake (WC-43-91-001); or Basford Lake, Cecilia Lake, and Gifford Lakes (R281.743.5). Moreover, these Special Watercraft Restrictions were requested by the citizens who live on these bodies of water, within those respective townships, as a means of safety preservation and nature conservation.

As waterways throughout the State of Michigan continue to more congested with recreational boating traffic, the probability of personal injury and the deterioration in the quality of our natural lakes requires that we look forward, and make every possible attempt to ensure the safety and beauty of our recreational environment.

For these reasons, I support the citizens of Cool Lake in their efforts, and ask that you reconsider their request for a Special Watercraft Restriction.

Respectfully,


Robert A. Hilts – Lake County Sheriff

Robert Hilts, Sheriff

On behalf of the Cool Lake Property Owner's Association I appreciate the opportunity to address you today regarding the bill to amend 1994 PA 451 entitled "National resources and environmental protection act".

The Cool Lake Property Owner's Association began the process of designating Cool Lake as a no-wake lake in early 2002 under the existing PA 451. For those who do not know where Cool Lake is located, it is in the northwest corner of Lake County.

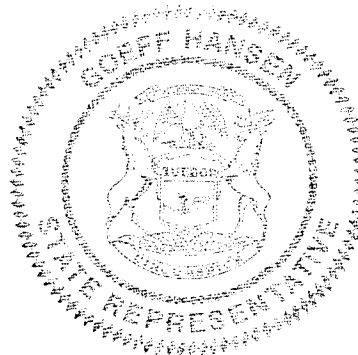
The Township of Elk, Lake County, adopted a resolution on May 13, 2002, and submitted it to the Department of Natural Resources. On May 29, 2002, the Marine Safety Section of the DNR requested the Elk Township Supervisor, Robert Wielinga, to advise of any local watercraft control ordinances already in effect or that no ordinances existed. It was indicated an investigation would be conducted into the request for a no-wake status. July 29, 2002, the DNR sent a letter indicating that the Department found no significant conditions exist which necessitate the establishment of controls more restrictive than those existing within PA 451 of 1994.

In submitting the request to the DNR, the Cool Lake Property Owner's Association was advised to stress the issue of safety in their concerns, along with environmental issues. The denial by the DNR focused only on the safety issue, and referenced that there was no evidence of accidents to support this claim. The lake consists of three small bays connected by narrow passages. Each bay in itself is not large enough to warrant high-speed recreational water sports and the narrow passages do not afford the opportunity to go from bay to bay at a high speed. The three bays average 918 feet by 551 feet each. The passage between the east bay and middle bay is approximately 115 feet wide, weeded heavily on the north side, with a depth of about 5 foot. This in effect leaves about 15 feet on the south side for the slow motor passage. The secondary issues relate to the marl bottom of the lake which can be easily stirred up by high-speed actions, resulting in heavy sediment problems to the fish habitat and the nesting loons. These sediment issues would also impact the Cool Creek and ultimately the Little Manistee River environment.

The proposed amendment to PA 451 of 1994 would authorize the Commission to investigate the need for special rules. If controls are considered necessary, the establishment of a local ordinance is authorized. Following appropriate public hearings, and adoption by the local governing body of the political subdivision in which the water lie, the Commission would then approve or disapprove of the proposed local ordinance.

Thank you,

Jackie McKellar

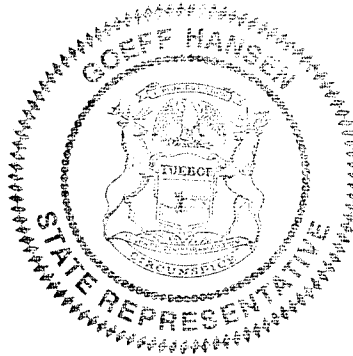


COOL LAKE PROPERTY OWNER'S ASSOCIATION

REP. GOEFF HANSEN
100TH DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514

BT
sam

August 17, 2005



REP. GOEFF HANSEN:

Dear Sir:

In reply to your letter of July 29, 2005 to Jackie McKellar of the Cool Lake Property Owner's Association concerning your proposed legislation to shift jurisdiction concerning local watercraft ordinances, from the Department of Natural Resources to the Natural Resources Commission.

The Cool Lake Property Owner's Association does fully support this legislation and is willing to assist in any way, if need be.

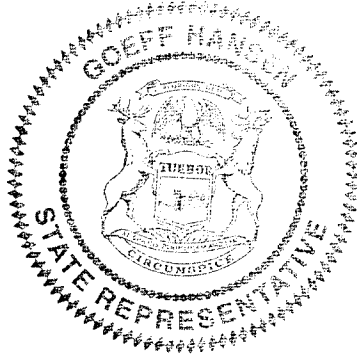
As to the alternatives, there seems to be few. Possibly a letter to the Natural Resources Commission could be considered, pending your thoughts about that.

We hope this letter will fulfill your request, additional information can be supplied, if need be.

Thank You

Cool Lake Property Owner's Association

Edwin A. Frey
Edwin A. Frey- President Pro-tem



324-80101

RESOLUTION:

Whereas

The Little Manistee Watershed Conservation Council has become aware of the concerns of the Cool Lake Property Owner's Association for the potential watercraft problems on Cool Lake and would like Cool Lake to be designated a NO WAKE LAKE.

Whereas

Cool Lake is a very small and fragile Lake that cannot support high speed boating of any type due to the unique shape and certain shallow areas. Its marl bottom can be easily stirred up by high-speed actions, which in turn causes heavy sediment problems to the spawning areas of the fish habitat.

Whereas

Cool Creek flows out of Cool Lake and directly into the Little Manistee River. The stirred up sediment would also affect Cool Creek and eventually affect the Little Manistee River.

Now Therefore Be It Resolved

That the Little Manistee Watershed Conservation Council does hereby support the Cool Lake Property Owner's Association request to have Cool Lake designated a NO WAKE LAKE.

Little Manistee Watershed Conservation Council

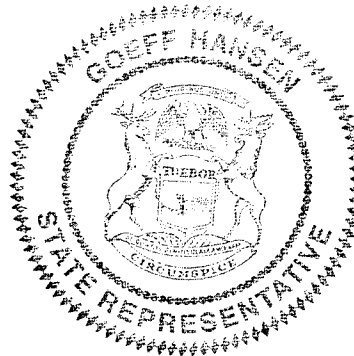
Signed  President
Dave McIntire

COOL LAKE PROPERTY OWNER'S ASSOCIATION

Department of Natural Resources
Stevens T. Mason Building
P.O. Box 30028
Lansing, MI 48909-7528

Attention: Mr. Robert Garner

To Whom It may Concern:



In May 2002 the "Cool Lake Property Owner's Association", petitioned the Elk Township, Lake County, Board of Supervisors to pass a "NO WAKE" ordinance for Cool Lake. This petition was passed at the township level, and then presented to the DNR. The DNR denied the petition, citing no grounds for action.

Cool Lake is located in Elk Township, Lake County, mailing address Irons, Michigan 49644. It is an 88 (eighty-eight) acres in area. It consists of 3 (three) interconnected bodies of 25, 27, & 36 acres. All properties with riparian rights are privately owned, there are 72 (seventy-two) such parcels.

The Cool Lake Property Owner's Association was incorporated in 1997, at that time there were 54 (fifty-four) owners, of which 35 (thirty-five) joined the association. One of the by-laws of the association was the no wake ordinance.

Since 2003-2004 23 (twenty-three) other parcels have been added. Of these 6 (six) more owners have joined the association. The rest of the properties have not committed, some have not been contacted and some have not been sold yet at this time.

The Association feels the bodies of water areas are too small to sustain activity by jet skis or pwc's wave action by such craft, would be a safety factor, would damage shorelines and disturb our nesting loons, ducks and geese. There are many areas where operators of such craft would violate DNR operating rules.

The DNR'S response to the petition cited those arguments for the ban were not valid, only if an injury or death occurred would a no wake ordinance be considered.

The petition was and is supported by the LMWCC, MLSA, Lake County water and Safety Patrol along with the Sheriff Department and others. State Representative Goeff Hansen has been contacted and is aware of the situation.

The association does not ask or expect a reply or opinion on this matter; we only wish to express our displeasure with the DNR on this issue. Perhaps in the future our governmental units will become more responsive to the views of the people they represent.

If so desired, all documentation related to this issue can be supplied by Rep. Goeff Hansen or you can contact us @. Cool Lake Property Owner's Association

11550 N. Hilltop Dr.
Irons, MI 49644

Thank You
CLPOA

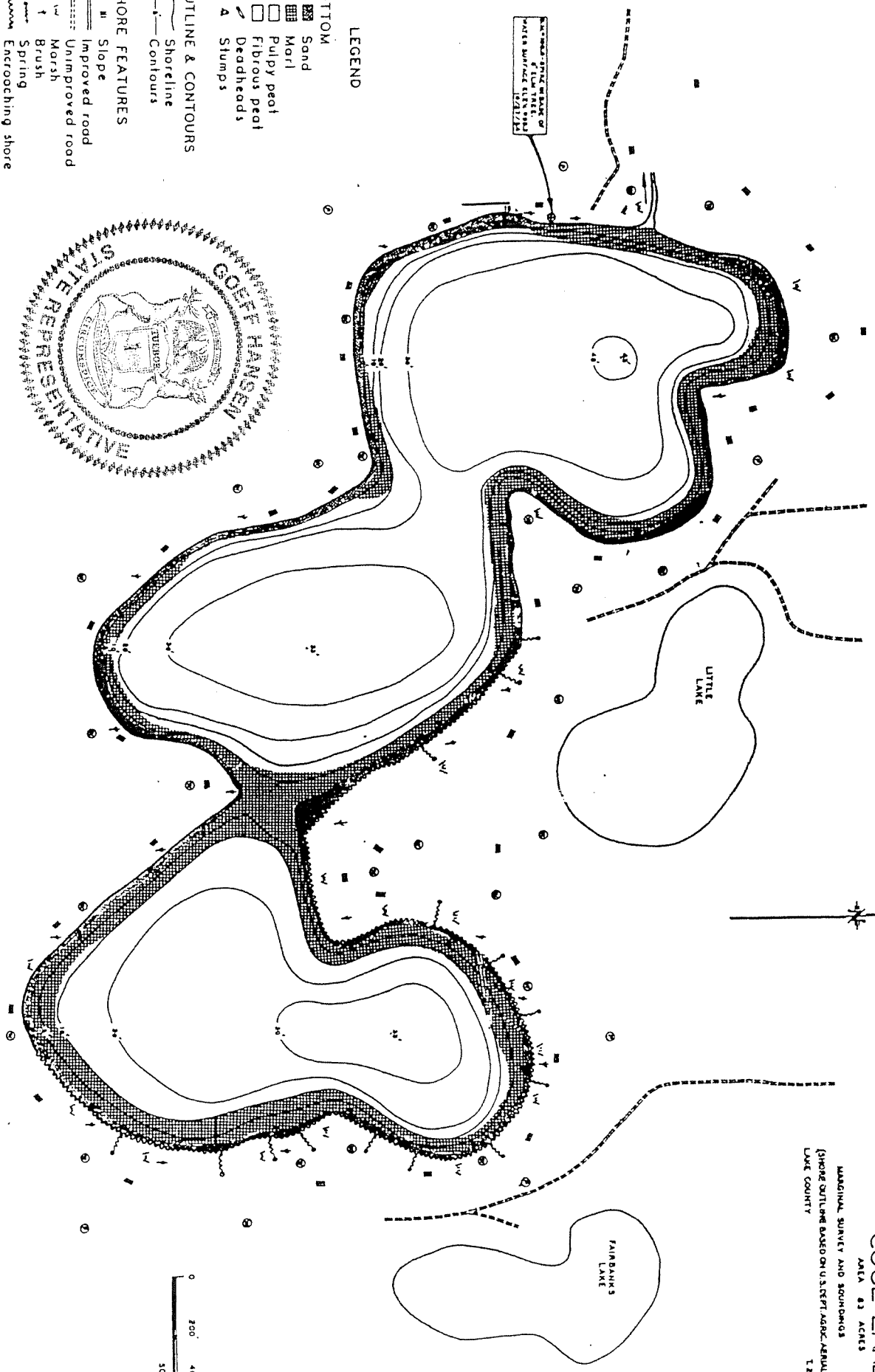
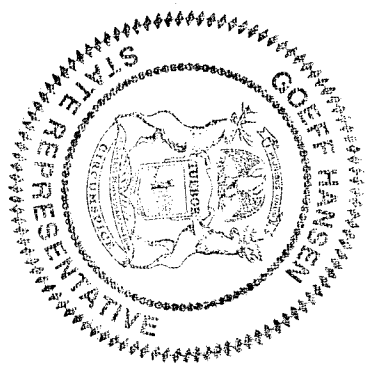
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COOL LAKE

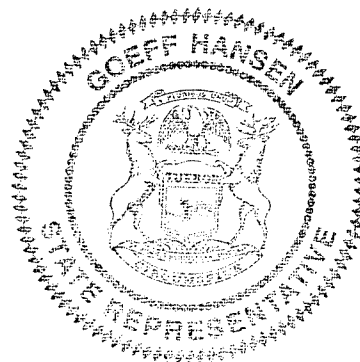
AREA 8.2 ACRES

MARGINAL SURVEY AND SOUNDINGS
[SHORE OUTLINE BASED ON USCEP/ADOC/ARAIL, INC
LAKE COUNTY 1920]

- LEGEND**
- BOTTOM**
- Sand
 - Marl
 - Pulpy peat
 - Fibrous peat
 - Deadheads
 - Stumps
- OUTLINE & CONTOURS**
- Shoreline
 - Contours
- SHORE FEATURES**
- Slope
 - Improved road
 - Unimproved road
 - Marsh
 - Brush
 - Spring
 - Encroaching shore
 - Outlet
 - Wooded
 - Pasture



0 200 400
SCALE



PROCEDURES - LOCAL WATERCRAFT CONTROL ORDINANCE

MICHIGAN DEPARTMENT OF NATURAL RESOURCES LAW ENFORCEMENT DIVISION

The varied use of bodies of water by high-speed boaters, water skiers, swimmers, anglers and others may generate conflicting situations. Safety and compatible use problems not specifically addressed by the provisions of Part 801, Marine Safety, Public Act 451 of 1994, as amended, shall be criteria considered in the establishment of local watercraft controls.

Political subdivisions that believe local ordinances of the type authorized by this act are needed on waters in their jurisdiction shall inform the department and request assistance. All such requests shall be in the form of an official resolution approved by a majority of the members of the governing body of the concerned political subdivision. Upon receipt of such resolutions the department shall proceed as required by sections 80110 and 80111 of Part 801, Marine Safety, Public Act 451 of 1994, as amended.

The department may initiate investigations and inquiries into the need for special rules for the use of vessels, water skis, water sleds, aquaplanes, surfboards, or other similar contrivances on any of the waters of this state. If controls for such activities are considered necessary, or changes or amendments to or repeal of an existing local ordinance is required, a local ordinance shall be prepared. Notice of a public hearing shall be made in a newspaper of general circulation in the area in which the local ordinance is to be imposed, amended, or repealed, not less than 10 calendar days before the hearing. Interested persons shall be afforded an opportunity to present their views on the proposed local ordinance either orally or in writing.

A local ordinance proposed pursuant to section 80110 shall be submitted to the governing body of the political subdivision in which the controlled waters lie. Within 60 calendar days, the governing body shall inform the department that it approves or disapproves of the proposed local ordinance. If the required information is not received within the time specified, the department shall consider the proposed local ordinance disapproved by the governing body. If the governing body disapproves the proposed local ordinance, or if the 60-day period has elapsed without a reply having been received from the governing body, no further action shall be taken. If the governing body approves the proposed local ordinance, the local ordinance shall be enacted identical in all respects to the local ordinance proposed by the department.

Further information may be obtained by contacting:

Michigan Department of Natural Resources
Law Enforcement Division
Marine, ORV and Snowmobile Section
P.O. Box 30031
Lansing, Michigan 48909
or call: 517-335-3414

MICHIGAN DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION

*Complete

R E S O L U T I O N
WATERCRAFT

WHEREAS, the * Board, County of *
State of Michigan, has become aware that recreational boating and surface water use
problems exist on *
and

WHEREAS, such recreational boating and surface water use problems consist of *
and

WHEREAS, Act 451 of the Public Acts of 1994, Part 801, as amended, requires that
the Department of Natural Resources conduct a public hearing and such
investigations as are deemed necessary prior to recommending local watercraft
controls on problem waters.

NOW, THEREFORE, BE IT RESOLVED, that the * Board
does hereby request the Department of Natural Resources to hold a public hearing to
inquire into the need for special local watercraft controls on*
* Board* Township,
County of * , State of Michigan.

VOTE ON THE RESOLUTION:

Yeas _____
Nays _____
Absent _____

DATE

CLERK

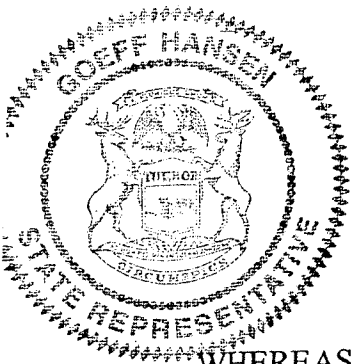
I hereby certify the above to be a true and correct transcript of the action taken by
the * Board, Township of *
County, State of Michigan.

DATE

CLERK

TELEPHONE NUMBER

ADDRESS



MICHIGAN DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION

*Complete

RESOLUTION
WATERCRAFT

WHEREAS, the * Elk Township Board, County of * Lake
State of Michigan has become aware of the concerns of the Cool Lake Property Owner's
Association for the potential watercraft problems on Cool Lake.
and would like Cool Lake to be a designated SLOW-NO WAKE lake.

WHEREAS, such recreational boating and surface water use problems consist of *
A small uniquely shaped, pristine and fragile lake that doesn't safely support high speed
boating, water-skiing or jet skiing. High speed boating of any type would be a danger to
the nesting Loons, fishermen, and pleasure boaters, due to the configuration of the lake.
Cool Lake is a marl bottom lake, and the sediment stirred up by these actions would
result in a loss of fish habitat and would also be unsightly. The noise generated by such
activity would affect the nesting Loons, and would be a major concern to the residents.

WHEREAS, Act 451 of the Public Acts of 1994, Part 801, as amended, requires that
The Department of Natural Resources conduct a public hearing and such investigations
as are deemed necessary prior to recommending local watercraft controls on problem
waters.

NOW, THEREFORE, BE IT RESOLVED, that the * Board
Does hereby request the Department of natural Resources to hold a public hearing to
Inquire into the need for special local watercraft controls on *
* Board* Township,
County of * , State of Michigan.

VOTE ON THE RESOLUTION:

Yeas 5
Nays 0
Absent 0

May 13, 2002 Drue Kichenapp
DATE CLERK

I hereby certify the above to be a true and correct transcript of the action taken by the
• Board, Township of *
• County, State of Michigan.

May 13, 2002 Drue Kichenapp
DATE CLERK
9661 N. Granger Rd., Irons
TELEPHONE NUMBER ADDRESS

Resolution

RESOLUTION:



Whereas

The Lake County Planning Commission is aware of the Cool Lake Property Owner's Association for the desire to have Cool Lake designated a NO WAKE Lake.

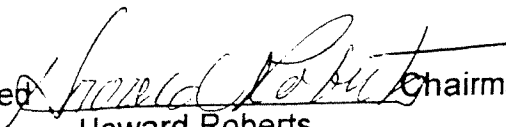
Whereas

The Lake County Planning Commission feels that it is a good plan to have a NO WAKE proposed before the population in the Cool Lake neighborhood grows.

Now Therefore Be It Resolved

That the Lake County Planning Commission does hereby support the Cool Lake Property Owner's Association request to have Cool Lake designated a NO WAKE LAKE.

Lake County Planning Commission

Signed  Chairman
Howard Roberts